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Chemicals volume of the Consolidated List of Products Whose Consumption and/or Sale have been Banned, Withdrawn, Severely Restricted or Not Approved by Governments

Note by the Secretary-General**

Summary

The Economic and Social Council, by paragraph 1 of resolution 2008/13, invited the United Nations Environment Programme to continue updating the chemicals volume of the Consolidated List of Products Whose Consumption and/or Sale have been Banned, Withdrawn, Severely Restricted or Not Approved by Governments and to report to the Economic and Social Council at its substantive session of 2010. The present note transmits the introductory section of the Consolidated List which will be available in its entirety, in English only, from www.chem.unep.ch/.

* E/2010/100.

** The present report was submitted later than the indicated deadline to allow for further consultation with relevant Secretariat units.

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Consolidated List of Products Whose Consumption and/or Sale have been Banned, Withdrawn, Severely Restricted or Not Approved by Governments

Contribution by the United Nations Environment Programme covering pesticides and industrial chemicals

I. Introduction

1. A review of the Consolidated List of Products Whose Consumption and/or Sale have been Banned, Withdrawn, Severely Restricted or Not Approved by Governments was included in the report of the Secretary-General on products harmful to health and the environment (A/62/78-E/2007/62). The review encompassed the format, scope and content of the List, as well as its utilization and dissemination.

2. In addition, a report submitted by the Secretary-General to the 18th session to the Commission on Sustainable Development at its eighteenth session (E/CN.17/2010/5) provides background information on the role of chemicals in sustainable development and reviews the progress made in the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation") in the thematic area of chemicals. It notes that significant progress has been made in attaining the 2020 goal set at the World's Summit concerning the sound management of chemicals by means of the Strategic Approach to International Chemicals Management, the implementation of related international legal instruments, the strengthening of information-sharing and risk communication, the establishment of programmes on risk assessment, reduction and prevention, and the development of indicators and monitoring.

3. The 2010 version of the Consolidated List was developed in continuation of the activity initiated by the General Assembly in resolution 37/137 of 17 December 1982. The contribution of the United Nations Environment Programme (UNEP) covers regulatory actions taken to protect human health and the environment from the adverse effects from pesticides and industrial chemicals.

II. Scope and presentation

4. The 2010 version of the List includes information on control actions available from the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants. Both Conventions entered into force in 2004 and, by early May 2010, there were 134 parties to the Rotterdam Convention and 170 parties to the Stockholm Convention. The presentation is different from earlier versions, avoiding abbreviations and covering all relevant control actions and not just updates as was the case in the previous issues.

Rotterdam Convention

5. The objectives of the Rotterdam Convention are:

(a) To promote shared responsibility and cooperative efforts among parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm;

(b) To contribute to the environmentally sound use of those hazardous chemicals, by facilitating the exchange of information on their characteristics, by providing for a national decision-making process on their import and export and by disseminating these decisions to parties.

6. The Convention promotes the exchange of information on a very broad range of chemicals, inter alia, through:

(a) The requirement for a party to inform other parties of each national ban or severe restriction of a chemical;

(b) The possibility for a party which is a developing country or a country with an economy in transition to inform other parties that it is experiencing problems caused by a severely hazardous pesticide formulation under conditions of use in its territory;

(c) The requirement for a party which plans to export a chemical that is banned or severely restricted for use within its territory to inform the importing party that such export will take place, prior to the first shipment and annually thereafter.

7. The Convention covers pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons by parties and which have been notified by parties for inclusion in the prior informed consent (PIC) procedure. One notification from each of two specified regions triggers consideration of the addition of a chemical to annex III to the Convention. Severely hazardous pesticide formulations which present a hazard under conditions of use in developing countries or countries with economies in transition may also be nominated for inclusion in annex III. The Conference of the Parties decides on the inclusion of new chemicals. Once a chemical is included in annex III, a decision guidance document, containing information concerning the chemical and the regulatory decisions to ban or severely restrict the chemical for health or environmental reasons, is circulated to all parties. Parties have nine months to prepare a response concerning the future import of the chemical. The response can consist of either a final decision (to allow import of the chemical, not to allow import, to allow import subject to specified conditions) or an interim response. The import decisions are circulated and exporting country parties are obligated under the Convention to take appropriate measures to ensure that exporters within its jurisdiction comply with the decisions.

8. More information on the Rotterdam Convention, including details of all notifications of control actions and import responses, is available from www.pic.int.

Stockholm Convention

9. The Stockholm Convention is aimed at protecting human health and the environment by reducing and/or eliminating releases of persistent organic

pollutants. These organic (carbon-based) chemical substances possess a particular combination of properties such that, once released into the environment:

(a) They remain intact for exceptionally long periods of time (i.e., many years);

(b) They become widely distributed throughout the environment as a result of natural transport processes involving soil, water and, most notably, air;

(c) They accumulate in living organisms, including humans, and are found at higher concentrations at higher levels in the food chain;

(d) They are toxic to both humans and wildlife.

Persistent organic pollutants travel through the environment across borders and can be found in people and animals living in regions such as the Arctic, thousands of kilometres from any major source of such pollutants.

10. The Stockholm Convention addresses these border-crossing chemicals by requiring a number of control actions aimed at ultimate elimination of releases of persistent organic pollutants. The Convention covers pesticides, industrial chemicals and unwanted by-products. It initially covered 12 substances but in 2009 another 9 were added by the Conference of the Parties. Two of the substances (dioxins and furans) are by-products and, since they are not sold or used, are not included in the Consolidated List of Products Whose Consumption and/or Sale have been Banned, Withdrawn, Severely Restricted or Not Approved by Governments.

11. More information about the Stockholm Convention, the obligations of parties and control actions is available from http://chm.pops.int.

III. Regulatory actions

12. The records of regulatory actions in the List are available online and contain:

(a) Control actions extracted from three kinds of chemical listings of the Rotterdam Convention, namely:

(i) Notifications of final regulatory actions for banned or severely restricted chemicals already included in annex III of the Rotterdam Convention;

(ii) Notifications of final regulatory actions for banned or severely restricted chemicals not included in annex III but included in appendix V[1] to PIC Circular No. XXX of December 2009;

(b) Control actions required for the pesticides and industrial chemicals covered by the Stockholm Convention.

13. Each record of the regulatory actions contains the following information: name of country or entity of jurisdiction; chemical name; CAS registry number; date when the notification of regulatory action was circulated; category of use of chemical (pesticide or industrial chemical); type of regulatory action (banned or severely

[1] Part A of appendix V covers over 170 chemicals for which the notifications met the information requirements of annex I to the Convention and part B covers over 60 chemicals for which the notifications did not meet the information requirements.

restricted); use or uses prohibited; use or uses that continue to be allowed; and summary of the final regulatory action and date of its entry into force.

14. Records of regulatory actions are listed according to the alphabetical order of the chemical name and then in the alphabetical order of the country name or entity of jurisdiction, except for records referring to the Stockholm Convention which appear last. The table of chemical names provides the page number where the first record of regulatory actions for the chemical in question is to be found. A separate listing of CAS numbers can also be used to identify the chemical name and page where the first record is to be found.

15. The appendices available online provide separate listings of:

(a) Chemicals included in annex III to the Rotterdam Convention;

(b) Specific mercury compounds also covered by annex III to the Rotterdam Convention;

(c) Chemicals included in appendix V to PIC Circular No. XXX, that is, chemicals for which notifications of regulatory actions have been submitted but that are not included in annex III to the Rotterdam Convention;

(d) Parties to the Rotterdam Convention;

(e) Parties to the Stockholm Convention.

IV. Information sources

16. **Rotterdam Convention**. The website for the Convention is www.pic.int. The information referred to in the present report is readily available in both PDF and MS Word versions from, respectively, www.pic.int/en/Circular/CIRC-30-En.pdf and http://www.pic.int/en/Circular/CIRC-30-En.zip. Previous PIC circular reports are available from www.pic.int/home.php?type=t&id=50&sid=3. The name list for all annex III chemicals was derived from the Rotterdam Convention official statement, available from www.pic.int/home.php?type=t&id=29&sid=30.

17. **Access to information on regulatory actions**. The regulatory actions of annex III chemicals can be accessed by (a) chemical name (www.pic.int/reports/FRA-Parties-BY-AnnexIII-Chem-List.asp) or (b) party (www.pic.int/reports/FRA-Parties-List-AnnexIII.asp).

18. **Stockholm Convention**. The website for the Convention is http://chm.pops.in. Information on the Convention is available from http://chm.pops.int/Convention/tabid/54/language/fr-CH/Default.aspx. Information on persistent organic pollutants is available from http://chm.pops.int/Convention/ThePOPs/tabid/673/language/fr-CH/Default.aspx.

V. Conclusions

19. As noted in the most recent report of the Secretary-General on products harmful to health and the environment (A/63/76-E/2008/54), the Consolidated List, as originally mandated in 1982, had served its purpose of disseminating as widely as possible information available within the United Nations system on such products.

However, with the entry into force in 2004 of the two legally binding chemical conventions (Rotterdam Convention and Stockholm Convention), much more accessible and detailed information can now be provided by the Convention secretariats by means of electronic and other media.

20. The 2010 version of the List consolidates information on control actions available from both the Rotterdam Convention and Stockholm Convention and will be available prior to the substantive session of 2010 of the Economic and Social Council from www.chem.unep.ch. As such, the most up-to-date information on the regulatory actions taken to protect human health and the environment from the adverse effects of pesticides and industrial chemicals will continue to be readily available from the Convention websites (see above). The Council may therefore again wish to consider whether it is still necessary to submit a separate report on the Consolidated List.